CALIFORNIA COASTAL COMMISSION

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Staff: M. Endicott-SF

Staff Report: 8/21/07

Hearing Date: September 6, 2007

STAFF REPORT: REGULAR CALENDAR

Application: 2-07-018

Applicant: Sonoma County Regional Parks

Project Location: Between 355 Highway 1 (Bird Walk Coastal Access Park)

and 201 Doran Park Road (Doran Beach Regional Park),

Bodega Bay, Sonoma County

Project Description: Installation of bridge over Cheney Creek to connect

Birdwalk Coastal Access Trail with Doran Beach Regional Park Trail and widen 1,370 foot long Doran Marsh Trail.

Other Approvals: None

Substantive Project Files: Cheney Creek Bridge & Trail Project Initial Study,

February 2007. Habitat Assessment Cheney Creek Bridge Sonoma County, California, December 2006. (Wildlife Research Associates). Final Botanical and Wetland Resources Report Cheney Creek Bridge and Trail Project

Sonoma County December 2006 (Valerius).

Soil Investigation, Proposed Cheney Gulch Pedestrian Bridge, Doran Beach Regional Park, Bodega Bay, California, December 1996 (Giblin Associates).

SUMMARY OF STAFF RECOMMENDATION

Sonoma County Regional Parks (SCRP) proposes to install a 110 foot long bridge across Cheney Creek that will connect up two regional park trails that are separated by Cheney Creek between Bird Walk Coastal Access and Doran Beach Park at the southern end of Bodega Bay. (See Exhibit 1). In addition, SCRP intends to upgrade 1,840 feet of the Doran Marsh Trail to a multiuse, pedestrian and bicycle trail that is 8 feet wide with a crushed rock surface along the top of an existing levee connecting Doran Beach Park to the southern edge of the bridge. 340 feet of new trail will be added to the Bird Walk Trail to provide access to the northern end of the bridge. With installation of the bridge, and upgrade of the trails, pedestrians, bicyclers and birdwatchers will be able to travel from Highway 1 to the Pacific Ocean at this location.

Cheney Creek runs between the levee embankment that borders Bird Walk Coastal Access and the Doran Marsh trails. The creek is about 25 feet wide with near-vertical 3-4 foot high banks, and empties into the southern tidal flats of Bodega Harbor. The creek has been altered and re-aligned in the past through human activities. Fresh water wetlands persist along the southeastern marsh and coastal bluffs. The coastal location, mild climate, and diverse natural habitats support a wide variety of birds and wildlife in and adjacent to the project site. Vegetation in the project site vicinity consists of mixed native salt marsh species, upland native plants, and large areas of various exotic species. The creek is a known habitat for a distinct population of Central Coast steelhead (Oncorhyncus mykiss).

The Cheney Creek Bridge will be prefabricated metal, approximately 110-feet long by 8-feet wide, with a 54-inch high safety railing. The bridge will have concrete landings supported by metal pilings driven into the ground to a depth of approximately 55-feet.

The Bird Walk trail extension will be an approximately 370 feet long and 8 feet wide multi-use trail between the existing Bird Walk Coastal Access Trail and the new bridge. The trail extension will require a 1-3 foot high retaining wall and a 42-inch high handrail for safety and to limit site disturbance. Re-alignment and widening of the existing paved service path at Bird Walk Coastal Access Trail parking lot may be necessary to enable construction equipment to reach the project site Staging Area 1. The new access path from the park entrance road to the top of levee trail will be 130 feet long by 12 feet wide with a base rock surface.

Approximately 1,370 feet of the existing Doran Marsh Trail will be widened from the existing 3 to 6-foot width to an 8-foot width and surfaced with crushed rock. Staging Area 2 will be approximately 0.51 acre. The area of construction disturbance will be approximately 1.02 acres. Of that area, approximately 0.43 acre contain annual grassland, 0.22 acre contain coyote brush scrub, and 0.39 acre contain existing trails. Estimated site grading will include approximately 100 cubic yards of cut and 400 cubic yards of fill, including about 300 cubic yards of imported material.

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The purpose of the project is to increase public access in accordance with Section 30214 of the Coastal Act (Act).

Although development activities will occur outside wetland and tideland areas, the proposed project construction occurs in environmentally sensitive habitat areas and could result in significant resource impacts. Because the project is a resource-dependent use (nature trail), it may be allowed within ESHA. However, special conditions are required to assure no significant disruption to ESHA. Conditions are also required to assure that all feasible mitigation measures are incorporated to avoid impacts to marine resources, water quality, threatened and endangered species, California species of special concern, and environmentally sensitive habitat areas associated with the project area.

Staff recommends approval of the proposed project with special conditions regarding: 1) construction practices, erosion control, and spill prevention; and 2) avoidance and minimization of impacts to environmentally sensitive habitat areas.

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EXHIBITS

- 1. Project Vicinity Map
- 2. Project Site Map
- 3. Bridge Design and Cross Section
- 4. Trail Improvements Cross Section
- 5. Staging Area 1 and Bird Walk Trail Map
- 6. Staging Area 2 and Doran Marsh Trail
- 7. Mitigation Monitoring Program

STAFF NOTES:

Standard of Review

The proposed development will be primarily performed on top of levees located next to tidal flats and dredge disposal ponds in Sonoma County. This location is considered tidelands, submerged lands or other areas subject to the public trust. Pursuant to Section 30519 of the Coastal Act, the Coastal Commission retains jurisdiction over the review and issuance of Coastal Development Permits in these areas even though Sonoma County has a certified Local Coastal Plan. The standard of review for projects located in the Commission's original jurisdiction is Chapter 3 of the Coastal Act.

I. STAFF RECOMMENDATION

Coastal Development Permit Application 2-07-018

The staff recommends conditional approval of the permit application.

Motion:

I move that the Commission approve Coastal Development Permit 2-07-018 pursuant to the staff recommendation.

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

1. <u>Notice of Receipt and Acknowledgment</u>. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee

or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

- 2. <u>Expiration</u>. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. <u>Assignment</u>. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. <u>Terms and Conditions Run with the Land</u>. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. <u>Incorporation of Applicant's Mitigation Measures and Monitoring Program</u>:

The mitigation measures 1- 33 and the proposed Mitigation Monitoring

Program contained in the Initial Study for the Cheney Creek Bridge &

Trail Project (February 2007) are incorporated into this permit.

2. Standards for Project Work:

- a. Timing of work: Pile driving activities must conclude by September 30, 2007. If this is not feasible, then the permittee may request that the Executive Director grant an extension for repair work to be performed through October 15, with written evidence from the U.S. Fish & Wildlife Service, National Marine Fisheries Service, and the California Department of Fish & Game that the extension will not pose additional adverse impacts to any biological resources in the project area. Removal of trees shrubs and other vegetation shall be limited to between August 1 and March 15 to avoid bird breeding season.
- b. <u>Noticing of Temporary Closure</u>: During construction, access to these trails by the public will be restricted for up to 90 days. Signs describing the nature of the work and the period of time for the construction shall be posted by the County at the entrance of both trails.
- c. <u>Disposal of Excess Material and Vegetation</u>: All construction debris and cut vegetation shall be removed from the site and disposed of at an

- authorized disposal site unless it is viable for replanting. Side casting of such material or placement of any such material within Cheney Creek, any other coastal waters, tideland or wetland areas surrounding the project is prohibited.
- d. <u>Spill Prevention</u>: To prevent and address spills of equipment fuels, lubricants, and similar materials, the project work shall incorporate the following measures: (a) no equipment fueling shall occur on the project site; (b) all equipment used during construction shall be free of oil and fuel leaks at all times; (c) oil absorbent booms and/or pads shall be on site at all times during project construction and deployed if necessary in the event of a spill; and (d) all spills shall be reported immediately to the appropriate public and emergency services response agencies.
- i. <u>No Fill in Coastal Waters</u>: No permanent or temporary fill of coastal waters is allowed by this permit.
- j. <u>Pre-construction Contractor Training</u>: Prior to the commencement of any development authorized by this permit, the permittee shall ensure that the contractor understands and agrees to observe the standards for work outlined in these Special Conditions and included as part of the permittee's coastal development permit application.
- k. <u>Erosion Control</u>: Construction shall not commence until all temporary erosion control devices (*e.g.*, silt fences) are in place. Erosion controls shall also be used to protect and stabilize stockpiles and exposed soils to prevent movement of materials (*e.g.*, silt fences, plastic sheeting held down with rocks or sandbags over stockpiles, *etc.*). A supply of erosion control materials shall be maintained on site to facilitate a quick response to unanticipated storm events or emergencies. Erosion control devices are considered temporary structures and shall be removed after completion of construction.
- 1. Post Construction Revegetation Monitoring: The permittee shall ensure that exposed soils and disturbed areas are completely revegetated and will provide an artificial source of water for these areas until late October or until the winter rains begin. The plants used shall be native plants removed from the area or locally appropriate species. Non-native plants are prohibited. The permittee shall monitor the growth of the vegetation. Within 18 months of completion of the bridge installation and trail construction, the permittee shall submit to the Executive Director a written vegetation monitoring report prepared by a qualified biologist or botanist evaluating the status of the revegetation efforts in areas impacted by construction as compared to the coverage and density of the vegetation in the surrounding undisturbed areas. If the report indicates that the staging or access areas have not been completely revegetated, the permittee shall

submit to the Executive Director a revised revegetation program to achieve the objective.

- m. Post Construction Restoration of Environmentally Sensitive Habitat Area (ESHA): Within 120 days of the start of construction, permittee shall submit, for review and approval by the Executive Director, a plan for restoration of .25 acres of a degraded northern coastal scrub habitat area adjacent to the project site (4:1 ratio). The plan may include restoration of the habitat by removal and replacement of non-native and invasive species in the restoration area with plants appropriate to the ESHA. In addition, the restoration and mitigation program shall identify: (i) the type and location of seeds or plants that will be planted in the restoration area; (ii) a plan for monitoring restoration progress; and (iii) designation of a qualified botanist to supervise the restoration effort. Implementation of the restoration shall be initiated no later than the first fall season following the completion of project construction, and completed within a three year period.
- n. No Fishing Sign on Bridge: Because the river is known to be frequented by steelhead, the applicant shall install a sign barring fishing from the bridge. Design and material for the sign shall be submitted to the Executive Director for review and approval before it is installed. Installation of the approved sign shall occur before the bridge is opened for public use.
- o. <u>Interpretive Signs</u>: Within 180 days of start of construction, the County shall submit to the Executive Director for review and approval an Interpretive Sign Plan for the Bird Walk Access Trail and the Doran Marsh Trail to facilitate enjoyment and understanding of natural resources by trail users. The final plan shall detail the type, design, location, and content of the signs that will be installed to educate the public about the area's native habitats, the wildlife that frequents the area (permanently or in migration), and discourage uses and activities that degrade and damage these habitats. Installation of the approved signs shall occur within one year of approval by the Executive Director. Additional interpretative signs within the project vicinity may be proposed and installed at a later date, provided that their design, content, and location are approved by the Executive Director.

3. Avoidance and Minimization of Impacts to Environmentally Sensitive Habitat Areas (ESHA):

- a. Erosion control fencing shall be placed between all work areas and the creek and along the trails to prevent the introduction of material into the waterways, to minimize sedimentation and turbidity associated with bridge installation and trail construction.
- b. A biological monitor shall visit the work site daily throughout the duration of development activities.
- c. Contractor education shall be conducted to inform construction crews of the resources of concern and potentially present at the site, measures required to protect them (construction boundaries, flagging, and non-disturbance buffers), reporting requirements and instructions, project biologist contact information, information sheets, and discussion of other permit conditions that must be followed during construction.
- d. No heavy equipment shall operate in the creek or in the surrounding wetland or tideland areas.
- e. Prior to commencement of construction activities, the permittee shall deliver a copy of the Storm Water Pollution Prevention Plan to the Executive Director.
- f. Any proposed changes in the project shall be reported to the Executive Director. No changes shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares the following:

A. Project Location, Setting, and Description

1. Location and Purpose

Cheney Creek is located between Bird Walk Coastal Access and Doran Beach Regional Park on southeast side of Bodega Harbor. The Bodega Bay Public Utility District treatment facility is located northeast of the project area. The purpose of the proposed project is to connect two existing County Regional Parks facilities, Bird Walk Coastal

Access Trail and Doran Beach Regional Park, with a bridge and multi-use trail. The proposed bridge will span Cheney Creek, connecting with trails on each bank. The Bird Walk Coastal Access Trail offers hikers an unobstructed view of Doran Marsh tidal flats, channels, and ponds that is ideal for bird watching. Doran Beach Regional Park offers a range of natural environments and recreational opportunities for visitors and local residents, facilitating public access to coastal environments. Connecting these two facilities would improve opportunities for public enjoyment of both existing parks, and provide improved pedestrian, bicycle, and equestrian use. Currently, visitors must travel by surface road and Highway 1 between the two park facilities.

2. Setting

<u>Bird Walk Coastal Access</u> is a 14-acre facility located at the dredge disposal ponds originally constructed in 1980 on approval from the California Coastal Commission as a disposal site for dredging activities at Bodega Harbor. The two disposal ponds are enclosed by levees that are 26 feet above mean low water and 10 feet wide on top. The one-mile, multi-use loop-trail runs along the top of the levee. The all-weather, barrier-free trail offers views of Doran Marsh, Doran Beach Regional Park, Bodega Bay and Harbor, and Bodega Head. Bird Walk Coastal Access Park has a ten-space paved parking lot in the southeastern corner, with a screened portable restroom. There is a large, natural rock outcropping north of the parking lot that is visible from Highway 1.

<u>Doran Beach Regional Park</u> is west of the project site, and is located on a sand-spit which extends from the mainland bordering the south end of Bodega Harbor. During the 1940's, extensive construction and modifications were made to stabilize the spit. The current form of Doran spit is a result of activities that include jetty and road construction of Doran Beach Road, fill deposited from harbor dredge spoils, and introduction of vegetation to stabilize sand dune areas. Doran Beach Regional Park has ocean, bay and harbor frontage that includes salt marsh, tidal flats, and sand dune environments. The park offers multiple recreation opportunities that include camping, fishing and boating, and beach activities. The Doran Marsh Trail traverses the salt marsh and tidal channels on a levee constructed in 1961 to support a water pipeline installation that has since been removed. The trail offers public access for bird watching, nature study and scenic viewing.

<u>Cheney Creek</u> runs between the levee embankment that borders Bird Walk Coastal Access and the Doran Marsh Trail. The creek is about 25 feet wide with near-vertical 3-4 foot high banks, and empties into the southern tidal flats of Bodega Harbor. The creek has been altered and re-aligned over the past through human activities. Fresh water wetlands persist along the southeastern marsh and coastal bluffs. The coastal location, mild climate, and diverse natural habitats support a wide variety of birds and wildlife in and adjacent to the project site. Vegetation in the project site vicinity consists of mixed native salt marsh species, upland native plants, and extensive areas of various exotic species.

The Bodega Bay Public Utility District treatment facility is located adjacent to the project site, and was constructed in 1973 to replace the previous facility that had become inadequate to provide service to the Bodega Bay area. The Bodega Bay Lodge and Spa and the Bodega Bay Harbor subdivision and golf course, are southeast of the project site. State Highway 1 and the North Harbor subdivision are directly east of the project site.

3. Biological Resources and Habitats on Site

In preparation for its Initial Study pursuant to its CEQA review process, the applicant commissioned two studies: a habitat assessment for the project site (Habitat Assessment: Cheney Creek Bridge, Sonoma County, Wildlife Research Associates, December 2006) and a botanical and wetland resource report (Valerius, 2006). The assessment indicates that there are a number of special status species that have the potential to be present in the project area because of documented occurrences or because suitable habitat exists at the project site. The following special status species are known to occur in the area:

- a. <u>Steelhead</u> (Oncorhynchus mykiss). The steelhead is a federal threatened species. Cheney Creek is known to be habitat for a Central Coast steelhead distinct population steelhead.
- b. <u>Tidewater Goby</u> (*Eucyclogobius newberryi*). The tidewater goby is a federally-listed endangered species and a California Species of Special Concern, endemic to California. Its habitat includes brackish water habitats along the coast, shallow lagoons, and lower stream reaches where water is brackish to fresh and slow moving or fairly still but not stagnant. According to email July 19th 2007 by Peter Johnson of the USFWS, there is a recorded sighting of a goby in Cheney Creek in 1948, but there has been no observance of the goby since. Due to the extensive changes in the creek since then, the habitat in the construction areas is no longer suitable for the goby.
- c. <u>Allen's Hummingbird</u> (*Selasphorus sasin*). The Allen's Hummingbird is a federal species of concern and is also a protected migratory bird under the Migratory Bird Treaty Act (MBTA). There is suitable habitat along Bird Walk Trail. It prefers meadows along streams.
- d. <u>Rufus Hummingbird</u> (*Selasphorus nigricans*). The Rufus Hummingbird is a federal species of concern and is also a protected migratory bird under the MBTA. It frequents grasslands and open marshlands. There is suitable nesting habitat at the project site.
- e. <u>Black phoebe</u> (*Sayomis nigircans*). The phoebe is a protected migratory bird under MBTA. It makes nests from mud, grasses and weed stems. There is suitable habitat along Bird Walk Trail.
- f. Salt Marsh Common Yellowthroat (Geothlypis trichas sinuosa). The salt marsh common yellowthroat is a California Species of Special Concern and

- protected under MBTA. This bird nests in fresh and saltwater marshes in tall grass tules and willows. Suitable habitat is in the area.
- g. <u>Short-eared owl</u> (*Asio flammeus*) This owl is protected by MBTA. This bird nests in open grasslands, marshes, or dunes by tall grass, reeds or bushes, and there is a low chance it could be in this area.
- h. Northern Harrier (*Circus cyaneus*) The harrier is a California Species of Special Concern and is also protected under the MBTA. Although the chance of finding one here is rated low, there is suitable habitat present as it likes grassslands and open marshland.
- i. Coastal bluff morning glory (Calystegia purpurata ssp. saxicola) is on the California Native Plant Society's rare, threatened or endangered in California list (CNPS 1B list). It can be found in coastal and scrub areas, and blooms between May and September. It has been found along the north side of Cheney Creek and both sides of the Bird Walk.
- j. <u>Point Reyes bird's beak</u> (*Cordylanthus maritimus ssp. palustris*) is on CNPS List 1B. It's blooming season is between June and October. It has been found along Dorian Marsh Trail.
- k. <u>Marin knotweed</u> (*Polygonum marinenes*) has been seen in the salt marshes on both sides of Cheney Creek. It is on CNPS species review list which indicates more information is needed about its extent. It blooms between April and October.

4. Description of Proposed Project

The project has three components: a) installation of a bridge across Cheney Creek; b) an extension of the Bird Walk Coastal Access Trail, and c) improvement and widening of the Doran Beach Marsh Trail. (See Exhibit 2).

a. Cheney Creek Bridge

The Cheney Creek Bridge will connect the existing Bird Walk Coastal Access Trail and Doran Beach Regional Park via the Doran Marsh Trail. The bridge will be prefabricated metal, approximately 110-feet long by 8-feet wide, with a 54-inch high safety railing. The bridge will have concrete landings and be supported by concrete abutments with metal pilings driven into the ground to a depth of approximately 55-feet. It is designed to be above the 100 year flood event. The supports for the bridge are set well back from the banks of the creek. The bridge will be painted to match background colors. (See Exhibit 3).

b. Bird Walk Coastal Access Trail Extension

The proposed project will create a new 370-foot long, 8-foot wide multi-use trail extension from the existing Bird Walk Coastal Access Trail down alongside the south

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side of the embankment to a flat area alongside Cheney Creek to the new bridge. The trail extension will require a 1-3 foot high retaining wall and a 42-inch high handrail for safety and to limit site disturbance. (See Exhibit 4). The multi-use trail extension will be graded to a maximum slope of 5 percent and surfaced with 3/4-inch minus crushed rock over an aggregate base and native soil sub-base, to form a firm, stable, slip resistant surface in keeping with U.S. Department of Transportation Federal Highway Administration (FHWA) Chapter 14, Shared Use Path Design Standards. These standards are equal to California Department of Transportation Class I Bikeway (Bike Path) design criteria. The thickness of the crushed rock will vary from 6 to 18 inches depending on soil compaction test results. A soil stabilizer may be used in combination with the crushed rock to create a firm and stable surface.

c. Doran Beach Marsh Trail Improvement

Approximately 1,370 feet of the Doran Marsh Trail, on the south side of Cheney Creek, will be improved to a width of eight feet, and surfaced with crushed rock using the same specifications as Bird Walk Coastal Access Trail extension. The existing Doran Marsh Trail varies in width along the entire length from approximately 3 feet to 6 feet depending on the width of the levee at different locations and on adjacent vegetation distribution changes.

d. On-Going Public Education and Restoration

The applicant intends for this project to be a part of a continuing effort to enhance the public experience of the area and to restore the habitat. Overall plans for the areas include the installation of a series of interpretive signage along the Doran Marsh Trail to educate park users about sensitive marsh and creek habitat. Regional Parks will remove non-native vegetation, such as iceplant, velvet grass, European beachgrass, and a variety of other non-native grasses and plant species and then restore those areas with appropriate native species. Restoration will involve the removal and eradication of non-native weedy plants and the seeding and planting of native plants known to occur within the project area. This ongoing element will supplement the bridge and trail project, likely through the Regional Parks volunteer program.

5. Construction Disturbance

The area of construction disturbance identified will be approximately 1.02 acres. Of that, approximately 0.43 acre will be annual grassland, 0.22 acre will be coyote brush scrub, and 0.39 will be existing trails. Estimated site grading will include approximately 100 cubic yards of cut and 400 cubic yards of fill, including about 300 cubic yards of imported material. The bridge will be delivered to the project site in two 55-foot sections using a standard semi-truck trailer.

Three <u>staging areas</u> have been included in the project design to accommodate heavy equipment access and setup for construction that will include pouring concrete, driving piles for bridge abutments and foundations, bridge installation, and trail construction. Staging Area 1, on the Bird Walk Coastal Access levee, is approximately 23,500 square

feet for the northern bridge landing. (See Exhibit 5). Staging Area 2, at the southern bridge landing on the Doran Marsh Trail side, is approximately 22,000 square feet. (See Exhibit 6). The Staging Area 3 is in the parking lot of the Bird Walk Coastal Access.

Equipment used for project construction will include pile driving and cement vehicles, large cranes on both sides of the creek for bridge installation, and semi-truck trailer for bridge delivery. Construction equipment will access the project site at Cheney Creek from Doran Park Road, via the Doran Marsh Trail entrance, and from the Bird Walk Coastal Access Park entrance road off of Coast Highway 1. The construction access paths will be prepared by scraping the existing trail surface to a width of 12 feet and adding base rock, as recommended by soils tests, to establish a firm surface for the heavy equipment.

The actual improved Doran Marsh Trail surface width will be 8 feet wide. Re-alignment and widening of the existing paved service path at Bird Walk Coastal Access Trail parking lot may be necessary to enable construction equipment to reach the project site staging area. The new access path from the park entrance road to the top of the levee trail will be 130 feet long by 12 feet wide with a base rock surface. To protect existing culvert crossings, stabilize trails for equipment driving, and for stabilization of crane out-rigger footings in staging areas, placement of 12-foot by 8-foot steel plates will be implemented in appropriate locations.

The <u>construction schedule</u> could take up to 90 days during which time public access to the trails will be interrupted for public safety reasons. No closure or significant closures on Highway 1 or Doran Beach road are required. For the installation of the bridge, the expected time period for the set up, constructions activities and take down of the Staging areas 1 and 2 on either side of Cheney Creek is two weeks.

Best Management Practices and Avoidance and Mitigations Measures

As part of its compliance with CEQA, Sonoma County prepared an initial study for the project which was completed in February of 2007. After a public review process, the Board of Supervisors adopted a Mitigated Negative Declaration which incorporated the proposed mitigation measure in the Initial Study on May 1, 2007.

The applicant proposes a number of mitigation measures and Best Management Practices (BMPs) to avoid or minimize impacts to coastal waters, water quality, marine resources, biological resources, and ESHA. These measures and BMPS are incorporated herein as part of the project description as specified in the Initial Study:

Mitigation measures 1-4 (Air Quality) provide for measures to control dust, transportation of construction debris from site and equipment emissions.

Mitigation measures 5-15 (Biological Resources) provide for measures to give environmental awareness training, restrict the time period for driving the pilings to avoid potential impacts on steelhead, require flagging of coastal bluff morning glory before

construction, restrict removal of vegetation to post nesting season, install sediment control barriers at staging sites and along trails, and revegetate the areas.

Mitigation measures 16-17 (Cultural Resources) provide for steps to be followed if cultural, archaeological, paleontological, or human remains are discovered during construction.

Mitigation measures 18- 19 (Geology and Soil) provide for measures to restrict activities during rainy days, preserve vegetation in construction areas, stabilize exposed soils, and require approval from the SCRP for any soil work during the rainy season (October 15th to May 1st).

Mitigation measures 20-23 (Hazards and Hazardous Materials) provide for measures to manage flammable and hazardous materials, petroleum based substances, vehicle management.

Mitigation measures 24- 26 (Hydrology and Water Quality) provide for measures to require a storm water pollution prevention plan (SWPPP) and a sediment control plan to be approved by the county to prevent discharge to the surrounding areas.

Mitigation measures 27-29 (Noise) provide for measures to restrict hours of construction activities and mufflers on internal combustion engines.

Mitigation measures 30-33 (Transportation and Traffic) provide for measures to coordinate with the Highway Patrol and California Department of Transportation, notify residents and businesses in the area of activities and implement safety controls for construction zones.

In addition the Initial Study includes a Proposed Mitigation Monitoring Program to assure compliance with the mitigation measures (See Exhibit 7). The monitoring program has also been incorporated into the proposed project description.

B. Public Access

The proposed project will create a connection to two County park trails that will provided expanded trail use for the public between the Pacific seashore and Highway 1 along the Southeast side of Bodega Bay without having to drive between the two different trailheads. The following Coastal Act Public Access policies apply to this project.

Coastal Act Policies

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent

with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30214 (a) of the Coastal Act states:

- (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
 - (1) Topographic and geologic site characteristics.
 - (2) The capacity of the site to sustain use and at what level of intensity.
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

Analysis

During construction, because of the significant improvements being made to the trails, access to and along the trails will have to be limited temporarily. Equipment and materials will also be stored at the turnout and staging areas located along each trail at the point where the supports for the bridge will be driven into the ground on either side of Cheney Creek. A temporary increase in traffic may occur as a result of construction personnel and equipment accessing the project site; however vehicles will be moved off of the road so as not to impede traffic flow through the area.

Ultimately, the proposed project would provide greater, non-vehicular access to the Bird Walk Trail from the more extensively developed and utilized Doran Beach Regional Park campground area, and thereby relieve pressure on the parking spaces for use by those who are driving north or south along Route 1. The trail originating at Doran Beach heads inland (eastward) from the public road that goes out along the spit so access to the beach area and campground should not be significantly impacted. Total construction time is expected to take about 90 days. As conditioned, in the mitigated negative declaration, in order to assure that the public understands the nature of the project and when the trail will again be available, signs at each trailhead shall provide information as to the purpose of the project and the expected completion dates.

This project connects up to Doran Beach Regional Park which has a multitude of uses including a campground. The improvements to the Doran Marsh Trail in particular will expand nonvehicular access from the beach to Highway 1 and thus reduce the existing potential for harm resulting from overuse of the Doran Marsh Trail. The bridge crossing is set in an area far back from the ocean near the existing public works plant which minimizes its impact on visual resources while also keeping its support structure well away from the edges of Cheney Creek.

Therefore, as proposed, the project will not significantly interfere with the public's right of access to the sea, and existing access along the trails will only be limited temporarily, in order to assure public safety during installation of the bridge and improvements to the trails. In the long term, these changes will increase public access and recreational opportunities for the public to enjoy these two parks and the tidelands southeast of Bodega Bay in a manner consistent with Sections 30210, 30211 and 30214 of the Coastal Act.

C. Protection of Coastal Waters, Water Quality, and Marine Resources

None of the work being proposed will occur in Cheney Creek, in wetlands or the tidal areas. The supports for the bridge are concrete pilings that are supported by metal pilings that will be driven into the ground approximately 55 feet. According to the geotechnical studies (Giblin and Associates 1996), driven piles are necessitated because soil samples in the area of proposed bridge installation indicate the site is underlain by discontinuous layers of sands and gravels with varying amounts of clayey and silty fines. Soils dredged from Bodega Harbor on multiple occasions dating back to 1943 were deposited in the project site area of Bird Walk Coastal Access Park and Cheney Creek on the flat plain. The soils deposited in the project location came from the inner Harbor areas, and consisted of very soft clays and very loose sands. The selected design of the deep foundation system with concrete abutments allows the support structures to be set well away from the banks of the Cheney Creek.

The trails do not occur in wetland areas, but they are adjacent to tidally influenced areas and Cheney Creek.

While the project does not involve placement of fill in the coastal waters or in wetlands, it does have the potential to cause adverse impacts to the marine resources, biological productivity, and quality of the coastal waters of Cheney Creek and is therefore subject to Section 30230 and 30231 of the Coastal Act that require marine resources, biological productivity and quality of coastal waters to be maintained, enhanced, and where feasible, restored.

Coastal Act Policy

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Analysis

The area in which the project is to be constructed has a history of substantial human activity that has altered the landscape over time. Much of the area contains fill from the dredging activities for Bodega Bay. The existing trails run along the tops of levees. The bridge design and the trail locations have been selected to avoid the wetland areas and keep the supports of the bridge out of Cheney Creek. As designed and mitigated, the USFWS does not feel that the project presents any significant runoff and erosion concerns. (Email from Peter Johnson, USFWS, 7/19/07). The Department of Fish and Game concurs that the mitigation measures developed for the mitigated negative declaration and the Mitigation Monitoring Program are sufficient to mitigate any project related impacts to less than significant levels and no Streambed Alteration Agreement will be required. (Email from Jeremy Sarrow, DFG, 7/18/07 and phone conversation on 8/23/07).

The project description and mitigation measures require that a construction barrier (amongst other controls) be installed prior to the onset of construction activities to prevent potential runoff and sediment release from the construction areas. Mitigation measure number 9 requires that "all construction barrier fencing consist of a black silt fence, be buried at 4 inches below grade using a ditch witch or placed by hand with the lower portion of the fence creating an apron to secure it. Construction related activities, including storing equipment, chemicals, spoil materials, trash, parking vehicles or equipment may not take place within the protected areas." The contractor will maintain the barriers during construction and the SCRP will maintain the barrier fencing after the construction is complete through the first rainy season. After the rainy season and the vegetation has become established, the SCRP will remove barrier. The fencing shall be installed as follows:

Staging Area 1 – Bird Walk Coastal Access Trail. The Contractor will install a construction barrier fence to prevent any materials from encroaching upon the adjacent wetlands.

Staging Area 2 – Doran Beach Regional Park Marsh Trail. The Contractor will install a construction barrier fence on the north and south side of the Marsh Trail to prevent sediment falling into Cheney Creek and delineated saltmarsh. The fence shall be placed on contour along a parallel route to the trail under direction of Regional Parks or a qualified biologist to prevent take of the saltmarsh habitat.

Marsh Trail – Doran Beach Regional Park. The Contractor will install a construction barrier fence along both sides of the Marsh Trail to prevent sediment from entering the adjacent salt marsh, wetlands, and native plant communities.

Seasonal Wetland - The Contractor will install a construction barrier fence along the outermost edge of the delineated seasonal wetland.

Protected Vegetation - The Contractor will install a construction barrier fence around the outermost edge of the vegetation to be protected.

The monitoring compliance program as proposed assures that there is frequent verification that the contractor has placed and is maintaining the erosion and runoff controls from the construction areas at the bridge and along the trails, and is acting in accordance with the SWPPP that will be designed for the site before construction activities begin. As the development is described and conditioned by the Special Conditions, it will meet the requirements of Section 30230 and 30231 to protect the productivity of coastal waters, restore the quality of the wetlands by removal of invasive species in the project areas, and minimize the alteration of natural streams.

Therefore, as conditioned to protect coastal waters, marine resources, water quality and riparian habitat, and including the measures proposed by the applicant, this project is consistent with Coastal Act sections 30230 and 30231.

D. Environmentally Sensitive Habitat (ESHA)

The steelhead is known to frequent Cheney Creek. Based on the habitat types, there is also a high potential for the presence of Allen's hummingbird and the Rufus hummingbird and moderate potential for the salt marsh common yellowthroat, which are California Species of Special Concern. In addition, a plant survey has found the coastal bluff morning glory along the north side of Cheney Creek and both sides of the Bird Walk Trail, and the Point Reyes bird's beak along the Doran Marsh Trail. These plants are on the California Native Plant Society's (CNPS) 1B list. List 1B species are designated by CNPS as rare, threatened, or endangered in California and elsewhere.

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Although the project area and the project design were selected to avoid work directly into the creek and to stay outside of all wetland areas, portions of the project are being carried out adjacent to habitat which meets the definition of ESHA found in the Coastal Act (PRC Section 30107.5) and portions of the project encroach into ESHA. ESHA shall be protected against significant disruption of habitat values and only uses dependent on those resources are allowed in ESHA areas per Section 30240 (a) of the Coastal Act. Development adjacent to these habitats must prevent impacts which would significantly degrade the adjacent ESHA areas and be compatible with the habitat and recreation areas per Section 30240 (b) of the Coastal Act.

Coastal Act Policy

Section 30107.5 states:

Environmentally sensitive area means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

Section 30240 states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Analysis

Historically, the area south of Bodega Bay has been subject to significant human manipulation and contains a variety of habitat types, including Northern Coastal Salt Marsh, Northern Coastal Scrub and annual grasses. Invasive species and non-native species have also populated the area such as iceplant (*Carpobrotus chilensis*) and velvet grass (*Holcus lanatus*), and they are encroaching into the ESHA areas. The existing trails that are being connected by this project run along raised areas above the ESHAs. Bird Marsh Trail has already been improved to the level that is proposed for the Doran Marsh Trail. A pipeline used to run along the route that the Doran Marsh Trail follows.

1. Development Adjacent to ESHA: The area that will be disturbed in upgrading Doran Marsh Trail is vegetated by annual grasses. But beyond the grasses, the trail is bounded primarily with Coastal Salt Marsh. Coastal Salt Marsh is dominated by pickleweed (Salicornia virginica), salt grass (Distichilis spicata) and rushes (Juncus

spp.). This habitat has been decreasing rapidly in California. The south end of the bridge is also located in an area of annual grasses. The three staging areas also encroach into annual grass habitats which are adjacent to Coastal Salt Marsh.

Project construction will employ Best Management Practices to prevent potential erosion, sedimentation and storm water pollution that may result from construction activities and equipment access. The permitee must also have a site specific SWPPP before commencement of the project. The mitigation measures adopted for the project require the contractor to install a construction and silt barrier along the length of the Doran Marsh Trail and around the Staging Areas to isolate and protect the salt marsh habitat. The project's mitigation measures and the special conditions required will assure that frequent verification is made by the applicant that the contractor is implementing the controls.

The bridge design specifically keeps the supports away from Cheney Creek (approximately 35-40 feet from the top of the bank). To address potential impacts to steelhead, the contractor must complete the pile driving activities before September 30th in order to avoid the period when steelhead enter the creek. As the pile driving will be set more than 30 feet from the edge of the creek, noise disturbance potential for fish in the creek will be significantly dampened (rather than having the bridge supports in the streambed). In order to avoid any possible disturbance of nesting birds removal of vegetation is restricted to between August 1st and March 15th. Flagging of areas with coastal bluff morning glory, and installation of the construction barrier prior to the onset of construction related activities will ensure construction activities do not significantly degrade adjacent ESHA areas. In addition, the revegetation plans for the areas that will be disturbed by the construction activities require restoration with native plants appropriate to the habitat type. Any non-native plants that have made incursions into those disturbed areas will have been removed. The public recreation opportunities in this area will have been enhanced by connecting the two trail systems. Therefore, the development adjacent to the ESHA is consistent with the requirements of Section 30240(b) of the Coastal Act.

2. <u>Development in ESHA</u>: The Bird Walk Access Trail is already an upgraded trail that meets the standards of the FHWA Shared Use Path Design Standards (Bike Paths). This path sits on top of a levee approximately 15-20 feet above the level of the Doran Marsh Trail. In designing the bridge project to stay out of Cheney Creek, minimize slope disturbance, and meet the maximum slope of 5% standard for bike paths, the connector between the existing trail and the north end of the bridge must pass through some Northern Coastal Scrub Habitat dominated by Coyote bush (*Baccharis pilularis*). This Northern Coastal Scrub habitat has a population of coastal bluff morning glory (a CNPS List 1B plant in it as well as a variety of native plant species that are struggling to maintain a foothold in the area. These include, the California bee plant, the seaside wooly sunflower, the willow dock, the sticky monkey flower, yellow lupine, California blackberry and a single California bay tree. Although significantly invaded by non-native plants at this location, including ice plant, this habitat continues to provide habitat for

valuable species. According to the biological surveys, the area impacted by proposed development also includes a population of coastal bluff morning glory.

Section 30240 only allows resource-dependent development in ESHA. Placement of the trail connecting the existing Bird Walk Trail to the bridge may be considered an allowable use in the Coastal Scrub area as it is a resource-dependent form of nature study, integral to the appreciation and comprehension of the ecology of the habitats and wildlife through which it passes. This area has a lot to offer visitors in terms of viewing wildlife (especially birds, local and migrating), a variety of habitat types and history of man manipulating landscapes.

The Bird Walk Trail portion of the project design, mitigation measures and special conditions work to minimize the temporary impacts to the ESHA by (a) controlling runoff from construction areas; (2) setting the staging area for the crane that will drive the piles for the northern bridge landing outside of the ESHA; (3) delineating and avoiding plant and animal species that are especially valuable; and (4) conforming the project to the natural landscape as much as possible.

However, the trail extension connecting Bird Walk Trail to the bridge is 370 feet long and 8 feet wide so it will permanently cover an area of 2,960 square feet of Coastal Scrub Habitat. This permanent loss of habitat will result in a significant disruption of the habitat area and must be mitigated to assure consistency with section 30240. In order to adequately offset the lost habitat area, the project is conditioned to require a restoration plan for the restoration of .25 acres of degraded northern coastal sage scrub habitat area adjacent to the project site i.e. a ratio of 4:1. This ratio is necessary to compensate for temporary impacts, potential variable restoration success, and free a sufficient area of to give the native species a competitive foothold. Also by having a significant area near the trail that is free of the invasive and non-native species will provide an excellent point for interpretive learning as the public will be able to distinguish the plants. The consultant who performed the survey recommended this area for restoration with sticky monkey flower, yellow lupine, seaside wooly sunflower and California bee plant and wild cucumber. Mitigation through restoration of degraded habitat will help protect against significant disruption of habitat values and assure the continuance of the habitat type at this location, particularly through reduction in incursions by invasive species into the habitat. As the immediately surrounding area is significantly impacted already by invasive species, this mitigation could be carried out in the area of the project by removal of additional non-native species and invasive plants (supplementary to the revegetation of the Staging Areas and construction areas adjacent to the ESHA).

With interpretive signs along the trails and additional habitat restoration efforts in the areas adjacent to the trails, as required by Special Conditions (m) and (o), this project is a development that is dependent on these ESHA resources and which will protect against significant disruption of habitat values by increased habitat restoration at a 4:1 ratio using native plant species taken from local stock; ongoing maintenance of a buffer zone around new planting to ensure newly planted areas are not out-competed by invasive species; and performance criteria to ensure long-term success of restoration of native plant species. As

conditioned, the access management and restoration measures to be provided by the project constitute resource dependent uses that will result in the overall enhancement of the affected habitat, and are therefore consistent with the ESHA policies in Chapter 3 of the Coastal Act.

E. California Environmental Quality Act (CEQA)

The Coastal Commission's review and analysis of coastal development permit applications has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate mitigations to address adverse impacts to said resources. Accordingly, the project is being approved subject to conditions which implement the mitigating actions required of the Applicant by the Commission (see Section III, "Special Conditions").

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. As discussed above, the proposed project has been conditioned to achieve consistency between the proposed project and the requirements of the applicable policies of the Coastal Act. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. Mitigation measures that will minimize or avoid all significant adverse environmental impact have been required.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, that would substantially lessen any significant adverse impact that the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act and to conform to CEQA. As such, the Commission finds that only as modified and conditioned by this permit will the proposed project not have any significant adverse effects on the environment within the meaning of CEQA.

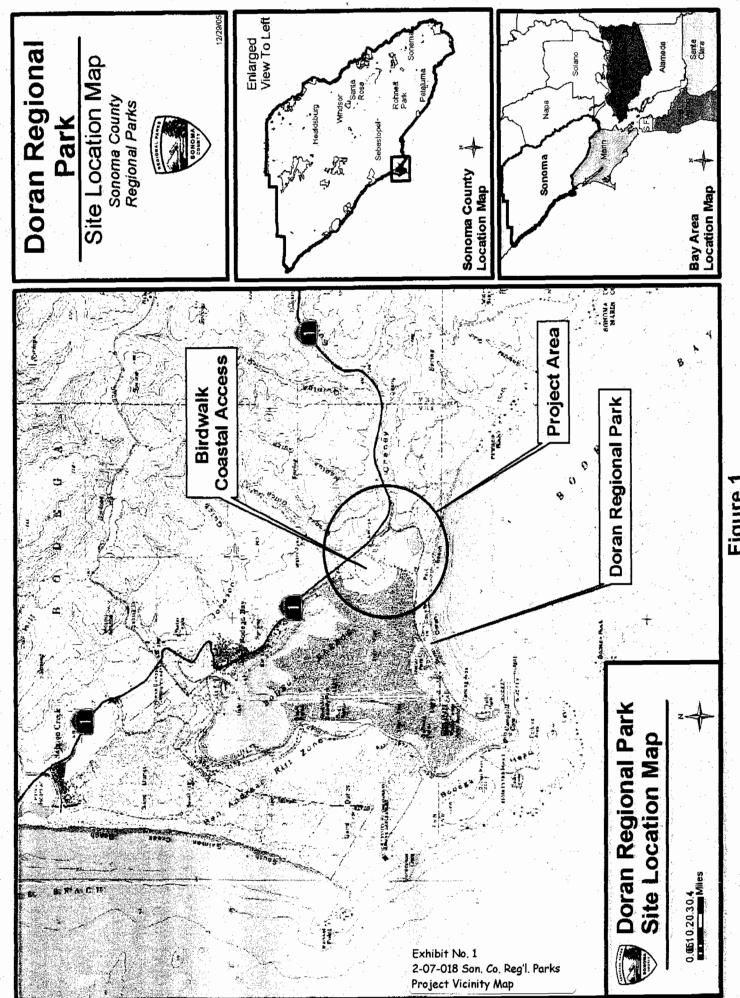
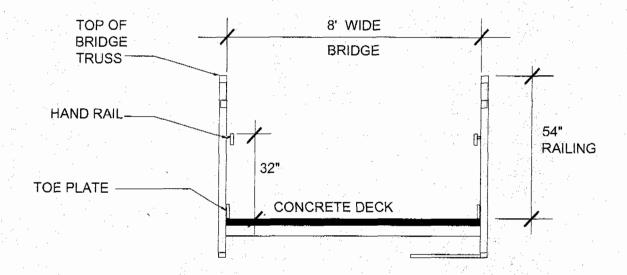
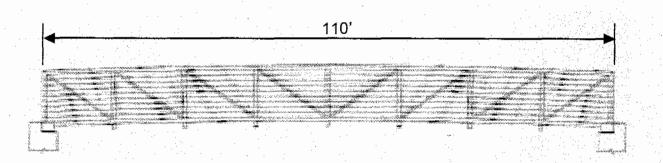


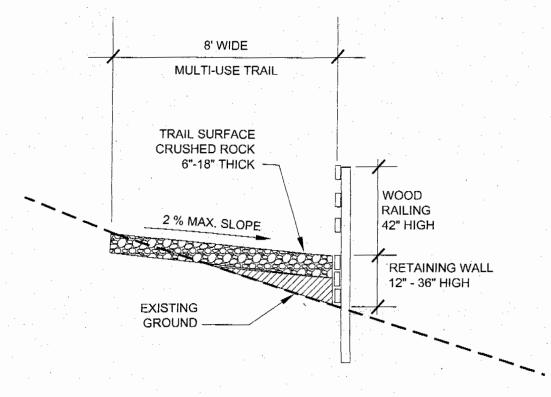
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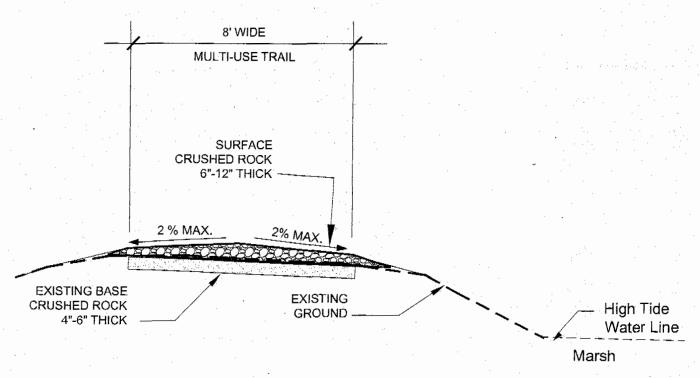
BRIDGE CROSS SECTION



BRIDGE ELEVATION



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LEVEE TOP TRAIL CROSS SECTION

Exhibit No. 4
2-07-018 Son. Co. Reg'l. Parks
Trail Improvements Cross Section Figure 7

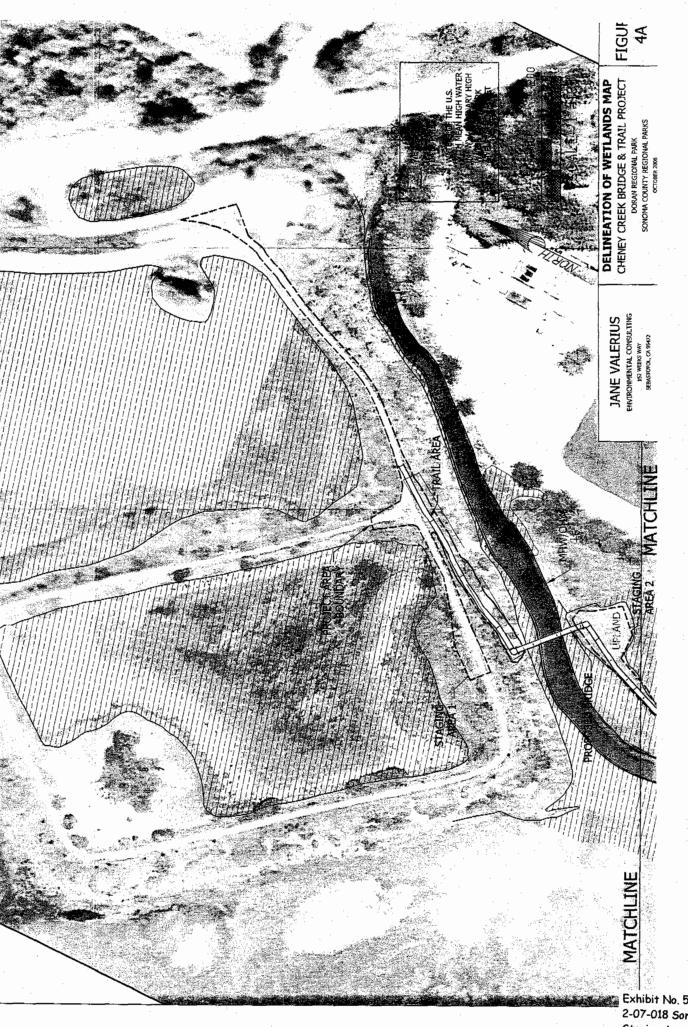
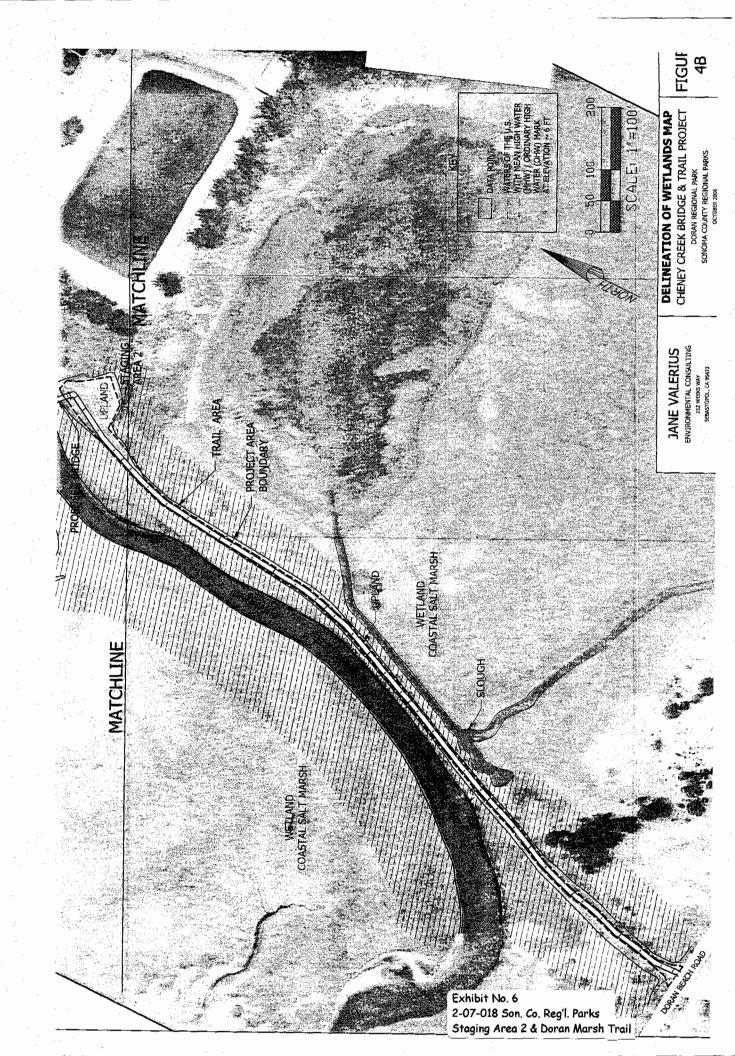


Exhibit No. 5 2-07-018 Son. Co. Reg'l. Parks Staging Area 1 & Bird Walk Trail Map



PROPOSED MITIGATION MONITORING PROGRAM

Pursuant to Section 21081.6 of the State CEQA Guidelines¹, the mitigation measures listed in the Proposed Mitigation Monitoring Program (MMP) are to be implemented as part of the proposed project. The Proposed MMP identifies the time at which each mitigation measure is to be implemented and the person or department responsible for implementation. The initials of the designated responsible person will indicate completion of their portion of the mitigation measure. The Regional Parks Environmental Specialist or Park Planner's signature on the Certification of Compliance will indicate complete implementation of the Proposed MMP.

The mitigation measures included in the Proposed MMP are considered conditions of approval of the proposed project. The Regional Parks Department agrees to implement the mitigation measures proposed in the MMP. Implementation of the mitigation measures included in the Proposed MMP are expected to avoid, minimize, rectify, reduce, or compensate potentially significant impacts to a less than significant level.

Time of Implementation

Project Design: The mitigation measure will be incorporated into the project design

and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Pre Construction: The mitigation measure will be implemented before construction

activities begin.

Construction: The mitigation measure will be implemented during construction.

Post Construction: The mitigation measure will be implemented after project

construction.

Responsible Persons and Departments

The Regional Parks Department Environmental Specialist, Park Planner, and Planning Technician will be responsible for the overall implementation of the MMP. Generally, the Regional Parks Department Environmental Specialist, Park Planner, and Planning Technician will sign off on the mitigation measures included in the MMP. Periodically, staff of other County departments or regulatory agencies will be involved in the implementation of specific mitigation measures. In these instances, the staff, department, or agency will be identified in the MMP.

Certification of Compliance

The Regional Parks Department Environmental Specialist, Park Planner, and Planning Technician will be responsible for providing signatures on the Certification of Compliance. The Certification of Compliance is a "double-check" to ensure that the MMP was fully implemented.

Record Keeping

The Regional Parks Department Environmental Specialist, Park Planner, and Planning Technician will maintain the records of the MMP. When the MMP is fully implemented, the original signed copy will be maintained in the official Project Binder.

CERTIFICATION OF COMPLIANCE

Complete the Certification of Compliance <u>after</u> mitigation measures have all been initialed. Use this Certification of Compliance to "double-check" the full implementation of each mitigation measure.

Design: The Regional Parks Department Environmental Specialist and/or the Park Planner has reviewed the project design, the plans, and the contract special provisions to verify that designated mitigation measures have been incorporated.

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Exhibit No. 7 (Page 2 of 14) 2-07-018 Son. Co. Reg'l. Parks Mitigation Monitoring Program

AIR QUALITY

Mitigation Measure 1: The contractor will be required to spray water or dust palliative on unpaved construction areas, staging areas, and stockpiles of soils during construction as directed by the County during construction. Sonoma County Regional Parks Department staff will be required to spray water or dust palliative on unpaved areas as needed during maintenance activities.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Post Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the

Resource Management Plan.

Initials

Date

Mitigation Measure 2: The Contractor will be required to cover loads of soil, sand, and other loose materials over public roads, keep the loads at least two feet below the level of the sides of the hauling container, and wet the load sufficiently to prevent dust emissions during construction of the proposed project. Sonoma County Regional Parks Department staff will be required to cover loads of soil, sand, and other loose materials over public roads, keep the loads at least two feet below the level of the sides of the hauling container, and wet the load sufficiently to prevent dust emissions as needed during maintenance activities.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Post Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the

Resource Management Plan.

Initials

Date

Mitigation Measure 3: The Contractor will be required to sweep paved roads as needed to remove soil that has been carried onto them from the project site during construction. Sonoma County Regional Parks Department staff will be required to sweep paved roads as needed to remove soil that has been carried onto them from the project site due to maintenance activities.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials

Date

(Page 3 of 14)

Page A-3

Post Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the Resource Management Plan.

Initials

Date

Mitigation Measure 4: The Contractor will be required to operate all construction vehicles and equipment with emission levels that meet current air quality standards and to minimize idling time for all heavy equipment to reduce on-site emissions during construction. Sonoma County Regional Parks Department staff will be required to operate all construction vehicles and equipment with emission levels that meet current air quality standards and to minimize idling time for all heavy equipment to reduce on-site emissions during maintenance activities.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials

Date

Post Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the

Resource Management Plan.

Initials

Date

BIOLOGICAL RESOURCES

<u>Mitigation Measure 5</u>: Regional Parks will conduct a Mandatory Contractor/Worker Environmental Awareness Training identifying sensitive resources on the site and measures to prevent take of individuals and habitat at pre-bid and pre-construction meetings.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to construction.

Initials

Date

<u>Mitigation Measure 6</u>: The Contractor shall be required to schedule driving the bridge footings between July 01 and September 30. If this is not feasible, the following shall occur prior to initiating the activity:

- Regional Parks shall obtain concurrence from the United States Fish and Wildlife Service before starting work.
- b. The Contractor shall drive the bridge footings during low tide to the greatest degree feasible to reduce daily disturbance to fish species when few individual fish are present in Cheney Creek.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date Exhibit No. 7 (Page 4 of 14) 2-07-018 Son. Co. Reg'l. Parks Mitigation Monitoring Program

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

<u>Mitigation Measure 7</u>: The Contractor will avoid impacts to populations and individuals of coastal bluff morning glory. Regional Parks or a qualified biologist will flag areas with coastal bluff morning glory prior to the onset of construction-related activities.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 8: The Contractor will remove trees, shrubs and other vegetation between August 01 and March 15 to avoid bird-nesting season. General bird nesting season is between March 15 and July 31. If it is not feasible to remove vegetation outside of bird-nesting season, the Regional Parks Department will complete the following:

- a. Conduct a bird-nesting survey between seven and 14 days prior to the removal of vegetation. The area to be surveyed will include all construction sites and staging areas for which vegetation removal is required to a buffer of 150 feet outside the boundary of the area to be cleared. Survey results will remain valid for a period of 21 days following the date of the survey.
- b. Postpone vegetation clearing and construction activities within 150 feet of the nest in the event that an active nest is discovered in the surveyed area. No construction-related activity will be allowed to occur within this area until it is determined that the young have fledged, the nest is vacated, and there is no evidence of second nesting attempts.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials

Date

<u>Mitigation Measure 9</u>: The Contractor will install construction barrier fencing around the following areas prior to the onset of construction-related activities. Regional Parks will identify the areas where construction barrier fencing will be required on the construction drawings. All construction barrier fencing

will consist of black silt fence, be buried 4 inches below grade using a ditch witch or placed by hand with the lower portion of the fence creating an apron along the ground facing the construction zone and dirt piled upon the apron to secure it. Construction-related activities, including storing equipment, chemicals, spoil materials, trash, parking vehicles or equipment may not take place within the protected areas. The Contractor will maintain construction barrier fencing during construction and Regional Parks will maintain construction barrier fencing after construction is complete through the first rainy season. Regional Parks will remove the construction barrier fencing after the last rains of the spring and vegetation has become established.

- a. Staging Area 1 Bird Walk Coastal Access Trail. The Contractor will install a construction barrier fence to prevent any materials from encroaching upon the adjacent wetlands.
- b. Staging Area 2 Doran Beach Regional Park Marsh Trail. The Contractor will install a construction barrier fence on the north and south side of the Marsh Trail to prevent sediment falling into Cheney Creek and delineated saltmarsh. The fence shall be placed on contour along a parallel route to the trail under direction of Regional Parks or a qualified biologist to prevent take of the saltmarsh habitat.
- c. Marsh Trail Doran Beach Regional Park. The Contractor will install a construction barrier fence along both sides of the Marsh Trail to prevent sediment from entering the adjacent salt marsh, wetlands, and native plant communities.
- Seasonal Wetland. The Contractor will install a construction barrier fence along the outermost edge
 of the delineated seasonal wetland.
- e. Protected Vegetation. The Contractor will install a construction barrier fence around the outermost edge of the vegetation to be protected.

Implementation & Monitoring

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Project Design:	_ ,	ne mitigation measure is incorporated int e project specifications and contract spection project.	
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Pre-Construction:	Regional Parks staff will verify that the construction.	ne mitigation measure is implemented pr	ior to
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Construction:	Regional Parks staff will verify that the construction.	he mitigation measure is implemented d	uring
	Initials	Date	
Post Construction:	Regional Parks staff will verify that the Resource Management Plan.	ne mitigation measure is incorporated into	o the
	Initials	Date	

<u>Mitigation Measure 10</u>: Regional Parks Department will implement a Revegetation Plan to replace the vegetation removed as part of this project development. The Revegetation Plan will include the following elements:

- a. Trees removed that are subject to Sonoma County Ordinance No. 4014 will be replaced at ratios determined by the Ordinance and will be replanted on-site to the greatest degree possible.
- Staging areas will be seeded and restored using native plants after construction activities have been completed.
- c. Revegetated areas will be monitored for two growing seasons. Success will be measured by 75 percent cover of seeded areas and survival of plantings.

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Implementation & Monitoring

Post Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the

Resource Management Plan.

Initials

Date

<u>Mitigation Measure 11</u>: The Contractor will comply with regulations of the U.S. Army Corps of Engineers, the California Department of Fish and Game, the North Coast Regional Water Quality Control Board and the State Coastal Commission regarding construction activities that affect drainages and wetlands.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 12: The Contractor will dispose of surplus soils, surplus concrete rubble, or pavement at an acceptable and legally permitted disposal site or taken to a permitted soil concrete and/or asphalt recycling facility.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 13: Regional Parks Department will clearly identify trees and other vegetation that will require removal on the construction drawings and will identify the protected perimeter of trees to be protected on the construction drawings. The protected perimeter is defined in Sonoma County Ordinance No. 4014 as the tree drip line. The contractor will clearly mark in the field the trees that will be removed. The Contractor will insure that all trees removed for implementation of the project be left onsite to provide wildlife habitat.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 14: The Contractor will be required to perform all tree trimming and branch removal in accordance with the International Society of Arborists Tree Pruning Guidelines, adopted in 1995. These standards require that (a) branches are cut cleanly, utilizing pruning shears, loppers, or a fine tooth saw that cuts on the pull stroke; (b) branches are cut just outside the branch bark ridge or at the callus shoulder, and at a point of junction with another branch to avoid leaving a limb section without live leaf support; (c) climbing spurs cannot be worn when performing work on any tree, and (d) trees will not be "headed."

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials .

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 15: The Contractor will be required to report any damage to protected trees that occurs during, or as a result of, project construction to Regional Parks staff. If a protected tree is damaged so that it cannot be preserved in a healthy state, the tree will be replaced in accordance with the Arboreal Value Chart included in Sonoma County Ordinance No. 4014.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initial

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

CULTURAL RESOURCES

<u>Mitigation Measure 16</u>: The Contractor will cease construction activity immediately if cultural, archaeological, paleontological, and historic or other types of cultural resources are encountered in the immediate vicinity of the find during project construction. Construction will cease until a qualified archaeologist has evaluated the situation to determine the significance of the find and has recommended appropriate measures to protect the resource. The archaeologist will record identified resources on DPR 523 historic resource recordation forms and submit the forms to the Northwest Information Center.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Exhibit No. 7 (Page 8 of 14) 2-07-018 Son. Co. Reg'l. Parks

Initials

Date Mitigation Monitoring Program

Page A-8

Cheney Creek Bridge & Trail Project - Mitigation Monitoring Plan

Mitigation Measure 17: The Contractor will immediately cease construction activity in the immediate vicinity of the discovery if human remains are unearthed during construction. Regional Parks will contact the County Coroner to investigate the nature and circumstances of the discovery as required by State law. If the burial appears to be Native American, Regional Parks will also attempt to contact an appropriate tribal representative to determine appropriate protocol. Construction activity will not resume in the immediate vicinity of the discovery until authorized by the County Coroner and/or Regional Parks.

Implementation & Monitoring

Project Design: Regional Part

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials Date

Construction: Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials Date

GEOLOGY & SOILS

<u>Mitigation Measure 18</u>: The Contractor will implement Best Management Practices to protect geology and soils, including the following:

- a. Avoid construction activities during rainy days as directed by Regional Parks
- b. Preserve existing vegetation except what is designated by Regional Parks for removal
- c. Leave root structure of vegetation in place whenever feasible
- Minimize the extent of disturbance from construction activities
- e. Stabilize exposed slopes, banks and stockpiles of soil materials during construction using erosion control blankets, or other method approved by Regional Parks
- f. Stabilize exposed soil by installing erosion control materials such as blankets, mulch, and/or seed that are free of exotic species or other method approved by Regional Parks.

Implementation & Monitoring

Project Design: Regional Parks staff will

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials Date

Construction: Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials Date

<u>Mitigation Measure 19</u>: Regional Parks will schedule ground disturbing construction activities to the dry season, April 30 – October 15. Regional Parks must approve ground disturbing construction activities that must occur during the rainy season (October 16 – May 01) based on the Storm Water Pollution Prevention Plan (SWPPP – see Mitigation Measure 24).

Implementation & Monitoring

Project Design:	project design and/or	all verify that the mitigation mail included in the project spect of the project.		
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Construction:	Regional Parks staff v construction.	vill verify that the mitigation r	measure is implemented	during
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	Initials		Date	

HAZARDS AND HAZARDOUS MATERIALS

<u>Mitigation Measure 20</u>: The Contractor will be required to prepare, submit, and implement a spill prevention plan for the project, which shall include, but not be limited to, the following elements:

- a. Follow the provisions of Sections 5163 5167 of the General Industry Safety Orders (CCR Title 8) to
 protect the project site from being contaminated by the accidental release of any hazardous materials
 and/or waste.
- b. Store all flammable liquids in compliance with the Sonoma County Fire Code and section 7-1.01G of the Caltrans Standard Specification (or the functional equivalent) for the protection of surface waters.
- c. If hazardous materials are encountered during construction, the contractor will immediately halt construction activities and will implement actions required by the current California regulatory requirements.
- d. In the event of a spill of hazardous materials the Contractor will immediately call the emergency number 9-1-1 to report the spill, and will take appropriate actions to contain the spill to prevent further migration of the hazardous materials to storm water drains or surface waters.
 - e. Prevent the following activities within areas protected by construction barrier fencing:
 - Fueling of any vehicles or portable generators
 - Vehicle/equipment washing and maintenance areas
 - Above-ground tanks for liquid storage
 - Industrial waste management areas (landfills, waste piles, treatment plants, disposal areas)
 - f. The Contractor will use drip pans or absorbent pads during vehicle and equipment maintenance, cleaning, fueling, and storage.
 - g. Spill kits and cleanup materials shall be available at all locations of pile-driving activities.
 - Equipment that is to be used shall be kept leak free and inspect for leaks and spills on a daily basis.
 - Equipment will be parked over drip pans or absorbent pads.
 - j. When not in use, the contractor will store pile-driving equipment away from concentrated flows of storm water, drainage courses, and inlets.
 - k. Protect hammers and other hydraulic attachments by placing them on plywood and covering them with plastic or a comparable material prior to the onset of rain.

Implementation & Monitoring

	Project Design:	project design	staff will verify the and/or included to awarding a control of the state of the sta	in the	project	specificat		
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Exhibit No. 7 (Page 10 of 14) 2-07-018 Son. Co. Reg'l. Parks Mitigation Monitoring Program Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented by

reviewing and approving the spill prevention plan submitted by the contractor.

Initial

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

<u>Mitigation Measure 21</u>: The Contractor will dispose of petroleum-based products in accordance with applicable laws and regulations.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

<u>Mitigation Measure 22</u>: Regional Parks Department operations and maintenance crews will dispose of petroleum-based products in accordance with applicable laws and regulations.

Implementation & Monitoring

Post-Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

maintenance activities.

Initials

Date

<u>Mitigation Measure 23</u>: The Contractor will conduct inspections and maintenance, according to current regulations, of portable toilet facilities used during construction. The contractor will conduct routine waste removal to ensure that effluent spills are avoided or minimized.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the

project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

HYDROLOGY AND WATER QUALITY

<u>Mitigation Measure 24</u>: Regional Parks will provide an approved Storm Water Pollution Prevention Plan (SWPPP) for implementation by the Contractor prior to project construction.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Exhibit No. 7 (Page 11 of 14) 2-07-018 Son. Co. Reg'l. Parks Mitigation Monitoring Program Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

Mitigation Measure 25: Regional Parks will provide a sediment control plan as part of the Storm Water Pollution Prevention Plan (SWPPP) for implementation by the Contractor. The focus will be to prevent sediment from entering the delineated wetland, Cheney Creek, Doran Marsh ponds and tidal channels and any other surface drainage within the project area. The sediment control plan will include temporary, construction-related sediment control that may include but not be limited to silt fencing, sediment traps, fiber roles, and/or barriers. The source of each specific sediment control measure proposed by the contractor must be documented in the sediment control plan.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Mitigation Measure 26: The Contractor will be required to install a protective impermeable barrier, such as a tarp, between the bridge work area and any surface water.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

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Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction.

Initials

Date

NOISE

Mitigation Measure 27: The Contractor will be required to operate all internal combustion engines with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Exhibit No. 7

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction

Initials

Date

Mitigation Measure 28: The contractor will be required restrict construction activities to the hours of 7:00 am to 7:00 p.m. on weekdays, except for actions taken to prevent or resolve an emergency.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction

Mitigation Measure 29: Sonoma County Regional Parks staff will be required to operate all internal combustion engines with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code.

Implementation & Monitoring

Post-Construction:

Regional Parks staff will verify that the mitigation measure is incorporated into the

Resource Management Plan.

Initials

Date

TRANSPORTATION AND TRAFFIC

Mitigation Measure 30: The Contractor will coordinate with the Highway Patrol and California Department of Transportation regarding transportation of the bridge prior to project implementation if needed.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials

Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction activity.

Initials

Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during construction

Initials

Date

Exhibit No. 7 (Page 13 of 14) 2-07-018 Son. Co. Reg'l, Parks Mitigation Monitoring Program

<u>Mitigation Measure 31</u>: Regional Parks Department will notify residents and businesses adjacent to the project area and local emergency services at least one week prior to commencement of construction.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials ·

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

Date

construction

Initials Date

Mitigation Measure 32: The Contractor will place appropriate signage at the project entrance at Bird Walk Coastal Access and at Doran Beach Regional Park entrance kiosk, to notify park visitors that traffic may be subject to short-term delay or detour. The Contractor will maintain access to park facilities during construction and place appropriate signage directing public to temporarily closed areas at project site.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials Date

Pre-Construction:

Regional Parks staff will verify that the mitigation measure is implemented prior to

construction

Initials Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction

Initials Date

<u>Mitigation Measure 33</u>: The Contractor will comply with the Caltrans "Manual of Traffic Safety Controls for Construction and Maintenance Work Zones" regarding traffic safety guidelines during construction including adequate signage and precautions for public safety during project construction.

Implementation & Monitoring

Project Design:

Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special

provisions prior to awarding a construction project.

Initials Date

Construction:

Regional Parks staff will verify that the mitigation measure is implemented during

construction

Initials

Exhibit No. 7 (Page 14 of 14) 2-07-018 Son. Co. Reg'l. Parks Mitigation Monitoring Program

Date